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Salisbury, Rowan County, N. C.

Saturday Morning, June 7, 1834

BY AUTHORITY.

Law of the United States, PASSED AT THE FIRST SESSION OF THE TWENTY-THIRD CONGRESS.

[PUBLIC, No. 7.]

AN ACT making appropriations for the support of the Army, for the year one thousand eight hundred and thirty-four.

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army, for the year one thousand eight hundred and thirty-four—that is to say:

For pay of the army, and subsistence of officers, one million three hundred and eighty-one thousand seven hundred and seventy-two dollars, including the sum of ninety-four thousand seven hundred and eighty-six dollars, arrears of pay and subsistence for the year one thousand eight hundred and thirty-three.

For forage of officers, fifty-nine thousand one hundred and seventy-nine dollars.

For clothing for servants of officers, twenty-four thousand four hundred and fifty dollars.

For subsistence, exclusive of that of officers, in addition to an unexpended balance of fifty-five thousand dollars, the sum of three hundred and sixty-one thousand nine hundred dollars.

For clothing of the army, camp, and garrison equipment, cooking utensils, and hospital furniture, two hundred and eighty thousand seven hundred and forty-eight dollars.

For payments in lieu of clothing for discharged soldiers, for the year one thousand eight hundred and thirty-four, including an arrearage in one thousand eight hundred and thirty-three estimated for by the pay department, forty-five thousand dollars.

For the medical and hospital departments, thirty-six thousand five hundred dollars.

For various expenses in the Quartermaster's department, viz: fuel, forage, straw, stationery, blanks, and printing; repairing and enlarging barracks, quarters, store-houses, and hospitals, at the various posts in the Union; erecting temporary cantonments at such posts as shall be occupied during the year, including huts for the dragoons; materials for the authorized furniture of the rooms of non-commissioned officers and soldiers, rent of quarters, barracks, and store-houses; postage on public letters; expenses of courts martial and courts of inquiry, including the compensation of Judge Advocates, members, and witnesses; extra pay to soldiers employed in the erection of barracks and quarters, and construction of roads, and other constant labor, under an Act of Congress of the 2d March, one thousand eight hundred and nineteen; expenses of express from the frontier posts, of escorts to paymasters, hire of laborers, and the internment of deceased non-commissioned officers and soldiers; compensation to extra clerks in the office of the Quartermaster General, and in the offices of the Quartermasters and Assistants at the several posts, and compensation to temporary agents; also, for the horses and equipments which may be required to keep the establishment of the regiment of dragoons complete, three hundred and forty-four thousand dollars.

For the transportation of clothing from the depot at Philadelphia, to the stations of the troops; of subsistence from the places of purchase and the points of delivery under contract, to the posts where they are required to be used; of ordnance from the foundries and arsenals to the fortifications and frontier posts, and from the western mines to the several arsenals; for transportation of the army, including officers when removing with troops, either by land or water, freights and ferrages; the purchase or hire of horses, oxen, mules, carts, wagons, and boats, for transportation of troops and supplies, and for garrison purposes; drayage and cartage at the several posts, hire of teamsters; the transportation of funds for the pay department, and the expenses of sailing a public transport between the several posts on the Gulf of Mexico, one hundred and forty-five thousand dollars.

For the allowance to officers for the transportation of their baggage, when travelling on duty, without troops, and for the per diem to officers on topographical duty, fifty-three thousand dollars.

For contingencies of the army, ten thousand dollars.

For carrying on the works in the city of Savannah, Georgia, twenty-five thousand dollars.

For continuing the repairs and alterations of the barracks and quarters at Baton Rouge, Louisiana, ten thousand dollars.

For erecting officers' quarters at Fort Severn, Annapolis, Maryland, five thousand dollars.

For carrying on the works at Green Bay, Michigan, ten thousand dollars.

For temporary repairs of the barracks at Fort Gibson, Arkansas, five thousand dollars.

For the purchase of land adjoining Fort Sullivan, Eastport, Maine, three thousand three hundred dollars.

For national armories, three hundred and sixty thousand dollars.

For the armament of fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, sixty thousand four hundred dollars.

For arsenals, one hundred and fifty thousand dollars.

For the arsenal at St. Louis, in addition to the sum embraced in the general appropriation for arsenals, eight thousand five hundred dollars.

For the purchase of five thousand sets of accoutrements for the artillery and infantry regiments, fourteen thousand two hundred and fifty dollars.

For the recruiting service, in addition to twenty-nine thousand three hundred and eighty-eight dollars unexpended of a former appropriation, six thousand dollars.

For contingent expenses of the recruiting service, in addition to six thousand and forty-three dollars, unexpended of a former appropriation, fourteen thousand dollars.

For arrearages prior to the first of July, eighteen hundred and fifteen, payable through the office of the Third Auditor, in addition to an unexpended balance in the Treasury, three thousand dollars.

To enable the Second Auditor to close his accounts under the Act of the 3d March, eighteen hundred and twenty-one, allowing three months' gratuitous pay to disbanded officers and soldiers, one thousand dollars.

For the payment of the General and staff officers, and six companies of Missouri militia, ordered into service by the Governor of the State, in the year eighteen hundred and thirty-two, thirty-five thousand dollars.

For paying any balances which may be due for militia services in the Territory of Michigan, in the late war against Black Hawk and his followers, two thousand dollars.

For the payment of Captain McGeorge's company of Indiana militia, for services performed in the year one thousand eight hundred and thirty-two, provided the Secretary of War shall be satisfied that the said com-

pany is entitled thereto, the sum of seven hundred dollars.

For finishing gun racks and making window shutters to the new arsenal, rebuilding middle water shop one hundred and ten by fifteen feet, and for building a house for steam engine, including a store room for iron, fifty-two by forty-six feet, at the national armory, Springfield, Massachusetts, twelve thousand two hundred dollars.

For additional machinery and fixtures at the same armory, viz: three water wheels for grinding musket barrels, six water wheels and twenty-two forges required in the middle water shop, blast machinery for eleven double forges, and for the purchase of new and improved labor-saving machinery, seventeen thousand eight hundred dollars.

For slating roof and rebuilding water wheel of upper workshop; renewing and repairing fences on the public ground, and for painting public buildings at the same armory, three thousand five hundred dollars.

For repairing dam, (and removing obstructions in way of) supplying the water to the rifle factory on the Shenandoah river, at the national armory, Harper's Ferry, Virginia, two thousand dollars.

For the completion of the machinery in the three shops for turning, boring and stocking muskets; the completion of the canal furnishing the water power; erecting an annealing shop and proof house; erecting two shops for tempering springs and polishing barrels; erecting two engine houses and making addition to stocking shops; and for erecting a carpenter's and machine shop, at the same armory, thirty-six thousand one hundred and fourteen dollars and eighty-six cents.

For erecting storehouses for iron and pit coal; repairing the quartermaster's and clerks' quarters; constructing a river wall, sinking three wells on Camp Hill; grading and paving the open spaces between the public shops, and for painting some of the public buildings at the same armory, eight thousand five hundred and eighty-one dollars and eighty-seven cents.

For the payment of the taxes assessed by the State of Pennsylvania on the United States arsenal on the Schuylkill river, five hundred and sixty-eight dollars and fifty-nine cents.

For the purchase of three acres of land on the Alabama river, and building a warehouse and dock at the Mount Vernon arsenal, in the State of Alabama, one thousand eight hundred dollars and fifty cents.

A. STEVENSON,

Speaker of the House of Representatives.

M. VAN BUREN,

Vice-President of the United States, and

President of the Senate.

Approved: May 14th, 1834.

ANDREW JACKSON.

DEBATE ON THE PROTEST.

SPEECH OF MR. CALHOUN.

In the Senate of the United States, on May 6th, 1834.

Mr. CALHOUN rose and said: In order to have a clear conception of the nature of the controversy in which the Senate finds itself involved with the President, it will be necessary to pass in review the events of the last few months, which have led to it, however familiar they may be to the members of this body.

Their history may be very briefly given. It is well known to all, that the act incorporating the Bank of the United States made that institution the fiscal agent of the Government; and that, among other provisions, it directed that the public money should be deposited in its vaults. The same act vested the Secretary of the Treasury with the power of withholding the deposits, and, in the event of withholding them, required him to report his reasons to Congress. The late Secretary, on the interference of the President, refused to withhold the deposits, on the ground that satisfactory reasons could not be assigned for the act, for which the President removed him, and appointed the present incumbent in his place, expressly with a view that he should perform the act his predecessor had refused to do. He accordingly removed the deposits, and reported his reasons to Congress, and the whole transaction was thus brought up for our approval or disapproval, entirely by the act of the Executive, without participation or agency on our part; and we were thus placed in a situation in which we were compelled to express our approbation or disapprobation of the transaction, or to shrink from the performance of an important duty. We could not hesitate. The subject was accordingly taken up, and after months of deliberation, in which the whole transaction was fully investigated and considered, and after the opinions of all sides, of the friends as well as the opponents of the administration were fully expressed, the Senate passed a resolution disapproving the reasons of the Secretary. But they were compelled to go farther. That resolution covered only a part of the transaction, and that not the most important. The Secretary was but the agent of the President in the transaction. He had been placed in the situation he occupied expressly with a view of executing the order of the President, who had openly declared that he assumed the responsibility, and his declaration was reiterated here in the debate by those who are known to speak his sentiments. To omit, under these circumstances, an expression of the opinion of the Senate in relation to this transaction, viewed as the act of the President, would have been, on the part of the Senate, a manifest dereliction of duty.

With this impression, the second resolution was adopted. It was drawn up in the most general terms, and with great care, with the view to avoid an expression of opinion as to the motive of the Executive, and to limit the expression simply to the fact that, in the part he had taken in the transaction, he had assumed powers neither conferred by the Constitution nor the laws, but in derogation of both. It is this resolution, thus forced upon us, and thus cautiously expressed, which has so deeply offended the President; which has called forth his protest; in which he has undertaken to judge of the powers of the Senate; to assign limits to their exercise; to which they may, and beyond which they shall not go; to deny their right to pass the resolution; to charge them with usurpation and the violation of law and of the Constitution in adopting it; and finally to interpose between the Senate and their constituents, and virtually to pronounce upon the validity of the votes of some of its members, on the ground that they do not conform with the will of their constituents.

This is a brief statement of the controversy, which presents for inquiry the question, what is the real nature of the issue between the parties—a question of the utmost magnitude, and on the just and full comprehension of which, the wisdom and propriety of our course must mainly depend. It would be a great mistake to suppose that the issue involves the question whether the Senate had a right to pass that resolution or not; or what is the nature and character of the resolution, or whether it be correct in point of fact or principle; or whether it was expedient to adopt it. All these are important questions, but they were fully and deliberately considered, and were finally decided by the Senate in the adoption of the resolution—finally and irrevocably decided, so that they cannot be opened for reconsideration, and decided on by the will of the body itself, according to the rules of its proceedings, much less on the demand of the President. No; the question is not, whether we had a right to pass the resolution. It is one of a very different character, and of much greater magnitude. It is, whether the President has a right to question our decision—this is the real question; a question which goes in its consequences to all the powers of the Senate, and which involves in its decision the fact whether it is a separate and independent branch of the Government, or a mere appendix of the Executive department. If the President has indeed the right to question our opinion; if we are in fact accountable to him, then all that he has done has been rightfully done; then he would have the right to send us his protest; then he would have the right to judge of our powers, and to assign limits beyond which we should not pass; then he would have the right to deny our authority to pass the resolution, and to accuse us of usurpation and the violation of law and of the Constitution in its adoption. But if he has not the right; if we are not accountable to him, then all that he has done has been wrongfully done; and his whole course, from beginning to end, in relation to this matter, would be an open and palpable violation of the constitutional right and privileges of the Senate.

Fortunately, this very important question, which has so direct a bearing on the very existence of the Senate, as a deliberative body, is susceptible of the most certain and unquestionable solution. Under our system, all who exercise power are bound to show, when questioned, by what authority it is exercised. I deny the right of the President to question the proceedings of the Senate—utterly deny it; and I call upon his advocates and supporters on this floor to exhibit his authority; to point out the article, the section, and the clause of the Constitution, which contains it; to show, in a word, the express grant of the power. None other can fulfill the requirements of the Constitution. I proclaim it as a truth—as an unquestionable truth, of the highest import, and heretofore not sufficiently understood, that the President has no right to exercise any implied or constructive power. I speak upon the authority of the Constitution itself, which, by an express grant, has vested all the implied and constructive powers in Congress, and in Congress alone. Hear what the Constitution says: Congress shall have power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers," (those granted to Congress,) "and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof."

Comment is unnecessary—the result is inevitable. The Executive cannot, and I may add, no department can, exercise any power, without express grant by the Constitution, or by authority of law. A most noble and wise provision, full of the most important consequences. By it, ours is made, emphatically, a constitutional and legal Government, instead of a government controlled by the discretion or caprice of those who are appointed to administer and execute its powers. By it, our Government, instead of consisting of three independent, separate, conflicting and hostile departments, has all its powers blended harmoniously into one, without the danger of conflict, and without destroying the separate and independent existence of the parts. Let us pause for a moment to contemplate this admirable provision, and the simple but efficient contrivance by which these happy results are secured.

It has been often said that this provision of the Constitution was unnecessary, that it grew out of abundant caution, to remove the possibility of a doubt as to the existence of implied or constructive powers; and that they would have existed without it, and to the full extent that they now do. They who consider this provision in this light, as mere surplusage, do great injustice to the wisdom of those who formed the Constitution. I shall not deny that implied or constructive powers would have existed, and to the full extent that they now do, without this provision; but had it been omitted, a most important question would have been left open for controversy. Where would they reside? In each department? Would each have had the right to interpret its own power, and to assume, on its own will and responsibility, all the powers necessary to carry into effect those granted to it by the Constitution? What would have been the consequence? Who can doubt that a state of perpetual and dangerous conflict between the departments would be the necessary, the inevitable result, and that the strongest would ultimately absorb all the powers of the other departments? Need I prove that the Executive, as the armed interpreter, as I said on another occasion, vested with the patronage of the Government, would ultimately become the sole expounder of the Constitution? It was to avoid this dangerous conflict between the departments, and to provide most effectually against the abuses of discretionary or implied powers, that this provision has vested all the implied power in Congress?

But it may be asked, are they not liable to abuse



in the hands of Congress? Will not the same principle of our nature which impels one department to encroach upon the other, equally impel Congress to encroach upon the Executive Department? Those who framed the Constitution clearly foresaw this danger, and have taken measures effectually to guard against it. With this view, the Constitution has raised the President from being a mere Executive officer, to a participation in the legislative functions of the Government; and has, among other legislative powers, clothed him with that of the veto, mainly with a view to protect his rights against the encroachment of Congress. In virtue of this important power, no bill can become a law till submitted for his consideration. If he approves, it becomes a law, but if he disapproves, it is returned to the House in which it originated, and cannot become a law unless passed by two-thirds of both Houses; and in order to guard his powers against the encroachment of Congress, through all the avenues by which it can possibly be approached, the Constitution expressly provides "that every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary," [none other can pass the limits of their respective halls,] "except on a question of adjournment, shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be repassed by two-thirds of the Senate and the House of Representatives, according to the rules and limitations prescribed in the case of a bill." These provisions, with the patronage of the Executive, give ample protection to the powers of the President, against the encroachment of Congress, as experience has abundantly shown.

But here a very important question presents itself, which, when properly considered, throws a flood of light on the question under consideration. Why has the Constitution limited the veto power to bills, and to the orders, votes, and resolutions, requiring the concurrence of both Houses? Why not also extend it to their separate votes, orders, or resolutions? But one answer can be given. The object is to protect the independence of the two Houses; to prevent the Executive from interfering with their proceedings, or to have any control over them, as is attempted in this protest; on the great principle which lies at the foundation of liberty, and without which it cannot be preserved; that deliberative bodies should be left without extraneous control or influence, free to express their opinions and to conduct their proceedings according to their own sense of propriety. And we find, accordingly, that the Constitution has not only limited the veto to the cases requiring the concurrence of the two Houses, but has expressly vested each House with the power of establishing its own rules of proceeding, according to its will and pleasure, without limitation or check. Within these walls, then, the Senate is the sole and absolute judge of its own powers; and in the mode of conducting our business, and in determining how and when our opinions ought to be expressed, there is no other standard of right or wrong, to which an appeal can be made, but the Constitution and the rules of proceedings established under the authority of the Senate itself. And so solicitous is the Constitution to secure to each House a full control over its own proceedings, and the freest and fullest expression of opinion on all subjects, that even the majesty of the laws is relaxed to ensure perfect freedom of debate. It is worthy of remark that the provision of the Constitution, which I have cited, vesting in Congress the implied or constructive powers, is so worded as not to comprehend the discretionary powers of the two Houses, in determining the rules of their proceedings, which, of course, places them beyond the interference of Congress itself.

Let us now cast our eyes back, in order that we may comprehend, at a single glance, the admirable arrangements by which the harmony of the Government is secured, without impairing the separate existence and independence of the parts. In order to prevent the conflicts which would have resulted, necessarily, if each department had been left to construe its own powers, all the implied or constructive powers are vested in Congress; that Congress should not, through its implied powers, encroach upon the Executive department, (I omit the Judiciary as not belonging to the question,) the President is clothed with the veto power; and that his veto should not interfere with the rights of the two Houses to control their respective proceedings, it is limited to bills or votes that require the concurrence of the two Houses. It is thus that our walls are interposed to protect the rights which belong to us as a separate constituent member of the Government, from the encroachments of the Executive power; and it is thus that the power which is placed in his hands, as a shield to protect him against the implied or constructive powers of Congress, is prevented from being converted into a sword to attack the rights which are exclusively vested in the two Houses.

Having now established, beyond controversy, that the President has no implied or constructive power; that he has no authority to exercise any right not expressly granted to him by the Constitution or vested in him by law; and that the Constitution has secured to the Senate the sole right of regulating its own proceedings, free from all interference, the fabric reared by this paper, and which rests upon the opposite basis, pre-supposing the right to the fullest and boldest assumption of discretionary powers on the part of the President, falls prostrate in the dust.

With these views, it will not be expected that I should waste the time of the Senate in examining its contents; but if additional proof were necessary to confirm the truth of my remarks, and to show how strong would have been the tendency to conflict, and how dangerous it would have been to have left the several departments in possession of the right to exercise implied powers at their pleasure, this paper would afford the strongest illustration of the correctness of this assertion.

It is not my intention to inquire whether the view of the Government, which the President has presented, be, or be not correct; but if it were, it would not be difficult to show that his conception that they are coequal, and that neither has a right to coerce or control the other, taken in the ordinary acceptance of these terms, would deprive the Senate of all its judicial powers, and much of its legislative. I will assume that his views are correct—and that, as coequal departments, neither has the right to interfere with the other; and what follows? If we have no right to disapprove of his conduct, he surely has none, on his own principle, to disapprove of ours. It would seem impossible that so obvious and necessary a consequence could be overlooked; yet so blind is ambition in pursuit of power—so regardless of reason or consistency, that the President, while he denies to us the right to interfere with him, or to question his acts, does not hesitate to charge the Senate, directly and repeatedly, with usurpation and a violation of the laws and of the Constitution.

The advocates of the President could not but feel the glaring inconsistency and absurdity of his course, and, in order to reconcile his conduct with the principles that he laid down, asserted, in the discussion, that he sent his protest, not as President of the United States, but in his individual character as Andrew Jackson. We may assert any thing—that black is white, or that white is black. Every page—every line of this paper, contradicts the assertion. He throughout speaks in his official character as President of the United States, and regards the supposed injury that has been done him, as an injury to him, not in his private, but in his official character. But the explanation only removes the difficulty one step further back. I would ask, what right has the President of the United States to divest himself of his official character, in a question between him and this body, touching his official conduct? Where is his authority to descend from his high station, in order to defend himself, as a mere private individual, in what relates to him in his public character?

But the part of this paper which is the most characteristic—that which lets us into the real nature and character of this movement—is the source from which the President derives the right to interfere with our proceedings. He does not even pretend to derive it from any power vested in him by the Constitution, express or implied. He knew that such an attempt would be utterly hopeless, and accordingly, instead of a question of right, he makes it a question of duty; and thus inverts the order of things, referring his rights to his duties, instead of his duties to his rights, and forgetting that rights always precede duties, and are in fact but the obligations, which they impose, and, of course, that they do not confer power, but impose obedience—obedience in his case to the Constitution and the laws in the discharge of his official duties. The opposite view—that on which he acts, and which would give to the President a right to assume whatever duty he might choose, and to convert such duties into powers—would, if admitted, render him as absolute as the Autocrat of all the Russias. Taking this erroneous view of his powers, he could be at little loss to justify his conduct—to justify it I say? He takes higher, far higher ground; he makes his interference a matter of obligation; of solemn obligation, imperative necessity—the tyrant's plea. He tells us that it was due to his station, to public opinion, to proper self-respect, to the obligation imposed by his constitutional oath, his duty to see the laws faithfully executed, his responsibility as the head of the Executive Department, and to his obligation to the American people, as their immediate representative, to interpose his authority against the usurpations of the Senate. Infatuated man! blinded by ambition—intoxicated by flattery and vanity! Who, that is the least acquainted with the human heart—who, that is conversant with the page of history, does not see, under all this, the workings of a dark, lawless and insatiable ambition, which, if not arrested, will finally impel him to his own or his country's ruin!

It would be a great mistake to suppose that this protest is the termination of his hostility against the Senate. It is but the commencement—it is the proclamation in which he makes known his will to the Senate, claims their obedience, and admonishes them of their danger, should they refuse to repeal their ordinance—no, not ordinance—their resolution. I am hurried away by the recollection of the events of the last session. The hostilities then and now waged are the same in their nature, character, and principle; differing only in the objects and the parties. Then it was directed against a sovereign member of this confederacy now against the Senate. Then the Senate was associated with the Executive, as in the present case, the object of his attack was the Executive, and the protest was against the Executive; now the protest is against the Senate, and the protest is against the Senate.

will select two or three of its leading positions, which will show what feeble barriers reason or regard to consistency would be to prevent conflict between the departments, or to protect the legislative from the executive branch of the government, and how regardless the President is of consistency or reason, where the object is the advancement of the powers of his department.

In order to prove that the Senate had no right to pass the resolution in question, the President enters into a long disquisition on the nature and character of our Government. He tells us that it consists of three separate and independent departments—the legislative, executive, and the judicial.—That the first is vested in Congress, the second in the President, and the last in the courts, with a few exceptions, which he enumerates. He also informs us that these departments are coequal, and that neither has the right to coerce or control the other; and then concludes that the Senate has no right to pass the resolution in question.

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With these views, it will not be expected that I should waste the time of the Senate in examining its contents; but if additional proof were necessary to confirm the truth of my remarks, and to show how strong would have been the tendency to conflict, and how dangerous it would have been to have left the several departments in possession of the right to exercise implied powers at their pleasure, this paper would afford the strongest illustration of the correctness of this assertion.

It is not my intention to inquire whether the view of the Government, which the President has presented, be, or be not correct; but if it were, it would not be difficult to show that his conception that they are coequal, and that neither has a right to coerce or control the other, taken in the ordinary acceptance of these terms, would deprive the Senate of all its judicial powers, and much of its legislative. I will assume that his views are correct—and that, as coequal departments, neither has the right to interfere with the other; and what follows? If we have no right to disapprove of his conduct, he surely has none, on his own principle, to disapprove of ours. It would seem impossible that so obvious and necessary a consequence could be overlooked; yet so blind is ambition in pursuit of power—so regardless of reason or consistency, that the President, while he denies to us the right to interfere with him, or to question his acts, does not hesitate to charge the Senate, directly and repeatedly, with usurpation and a violation of the laws and of the Constitution.

The advocates of the President could not but feel the glaring inconsistency and absurdity of his course, and, in order to reconcile his conduct with the principles that he laid down, asserted, in the discussion, that he sent his protest, not as President of the United States, but in his individual character as Andrew Jackson. We may assert any thing—that black is white, or that white is black. Every page—every line of this paper, contradicts the assertion. He throughout speaks in his official character as President of the United States, and regards the supposed injury that has been done him, as an injury to him, not in his private, but in his official character. But the explanation only removes the difficulty one step further back. I would ask, what right has the President of the United States to divest himself of his official character, in a question between him and this body, touching his official conduct? Where is his authority to descend from his high station, in order to defend himself, as a mere private individual, in what relates to him in his public character?

We will, however, return good for evil, by recommending Mr. McManis as a very suitable person for one of the new Clerkships at Washington, where his literary acquirements would be of essential service in giving the last finish to the official documents that issue from the various departments. Or, if this should be below the "aspirations of his soul," we suggest to the "young" party his nomination and support as successor to Mr. Jackson, L.L.D., in the Presidency.

It is a special blessing that we are not dependent for food and raiment upon the "good people at Taxhaw;" for it is evident that, if we were, we should have to choose between the awful alternatives of abandoning State Rights, or perishing, or of calling upon "the monster," (the United States Bank,) to keep us above board.

We do hope that the good people in other sections, especially those who are friendly to the ancient Downing family, will take such measures as may prevent us from being driven to such dread extremity.

CONGRESSIONAL PROCEEDINGS.

In the Senate, on the 28th ultimo, the following resolutions were passed, the friends of the Administration voting against them, viz:

Resolved, That the Department of War is not warranted in appointing Pension-Agents in any State or Territory where the Bank of the United States or one of its branches has been established; except when specially authorized by Act of Congress.

Resolved, That the Act of Congress "for the relief of certain officers and soldiers of the Revolution," passed on the 15th of May, 1832, and the Act supplementary to that Act, passed on the 7th June, 1832, are properly Acts providing for the payment of the Military Pensions.

Resolved, That no power is conferred, by any law, upon the Department or Secretary of War, to remove the agency for the payment of pensioners, under the said Act of the 7th of June 1832, and the funds, books, and papers, connected with that agency, from the Bank of the United States, and to appoint other agents to supersede that Bank in the payment of such pensions.

On the 28th, Mr. Clay introduced the following joint resolutions, with an appropriate speech, the conclusion of which we give:

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the reasons communicated by the Secretary of the Treasury, in his Report to Congress on the 4th of December 1833, for the removal of the deposits of the money of the United States from the Bank of the United States and its branches, are insufficient and unsatisfactory:

Resolved, therefore, That all deposits of the money of the United States, which may accrue or be received on and after the 1st day of July, 1834, shall be made with the Bank of the United States and its branches, in conformity with the provisions of the Act entitled "An Act to incorporate the subscribers to the Bank of United States," approved 10th April, 1816.

To-morrow (continued Mr. Clay) will be the last day of one entire year since we have had a Secretary of the Treasury of the United States appointed in conformity to the provisions of the Constitution of the U. States. Unless the Executive nomination is to be found in the communications which have been brought to the Senate this morning, it will be one year to-morrow since there has been a head of that Department holding the office and performing the duties by and with the advice and consent of the Senate, conformably to the Constitution. It has been asked, on another occasion, why this great anxiety for the nominations of persons who have been appointed during the recess? For no other reason than that the Constitution requires the nominations to be made. It had been asked, if we were anxious to receive the nominations in order that we may reject them? There is no one who has a right to put such a question. It is sufficient to answer, that the Constitution requires the nominations to be made; and to say that this has not been done. And we might retort, if it were proper to go into any inquiry as to motives, why is the nomination of a Secretary of the Treasury withheld? Is it kept back because it is designed to nominate an individual who is known by virtue to be unacceptable to this body? But it is not my purpose to go into the consideration of these questions; or, indeed, to say anything on the subject of the resolutions, which can now provoke any debate.

Mr. Benton made a speech against the resolutions, and concluded by moving that the further consideration of them be postponed for a week; but his motion was negative, and the resolutions were then read and ordered to a second reading.

Bank Directors.—The Senate has confirmed four of the five persons nominated by the President as Directors of the United States Bank, viz: Messrs. Roberts Vaux, Joseph White, Saul Alley, and Charles McAllister. Mr. Henry Horn alone was rejected.—Probably the Senate considered him a hollow-Horn.

Minister to Russia.—The nomination of Mahlon Dickerson, as Minister to Russia, has been confirmed by the Senate.

In the House of Representatives, nothing of importance has been done for some time.

UNITED STATES BANK.

The Committee appointed, by the House of Representatives, to go to Philadelphia and examine into the condition of the United States Bank, have returned to Washington and made a Report unfavorable to that institution. This was expected by all who knew how the Committee was formed. It was a packed Committee, selected and sent expressly for the purpose of renewing charges against the Bank that have repeatedly been disproved.

No new accusation has been made; but that portion of the Jackson party who favor Mr. Van Buren's pretensions to the Presidency, have discovered that the only way to succeed is to put down the United States Bank, which has refused obedience to the Regency, and to substitute a parcel of favorite State Banks that will be subservient to the party leaders.

Hence their anxiety to destroy the U. States Bank. They commenced their attack upon it while Mr. Van Buren was Secretary of State, because it declined interfering in his behalf as successor to Gen. Jackson; and the war has been kept up ever since with a perseverance worthy of a better cause.

A majority of the Committee, or of the *Inquisition*, have recommended to the House the passage of a resolution, "That the Speaker do issue his warrant to the Sergeant-at-Arms to arrest Nicholas Biddle, President of the Bank, and thirteen Directors, and bring them to the bar of the House, to answer for their contempt of its lawful authority."

The contempt spoken of consisted in the refusal of the President and Directors to give up the books and papers of the Bank to the Inquirers to take to their own cells and there use as they might see fit.

A minority of the Committee have made an able counter-Report, justifying the conduct of the President and Directors of the Bank, who acted, in the whole matter, under the advice of the best legal talents in the City of Philadelphia.

While the Hon. Messrs. McDuffie and Preston were in Philadelphia at the late Whig festival, they

were each presented with a fine hat of Bullock's manufacture. This, considering all the circumstances, is not a small "sign of the times."—*Stanzas show which way the wind blows.*

When President Jackson received a present of a pair of boots, or a snuff-box, his eyesoplane filled the air with huzzas for the Hero's "glory" and "popularity." Of how much more value is the present to these two gentlemen, who possess no power to reward the donor, and boast of no influence but that of unbending integrity, splendid talents, and fervent devotion to the Constitution of their country.

But there are other circumstances which enhance the value of the gift. Some twelve months since, these gentlemen were considered, in Philadelphia, two daring leaders of a traitorous faction; and if they had then visited the beautiful city of "Brotherly Love," in all probability the influence of such men as Binney and Sergeant could hardly have protected them from a crown of tar and feathers. But, since that time, the continued usurpations of the President have awakened the People of Philadelphia to a true sense of the danger that threatens the country, and they have magnanimously discarded their unjust prejudices to do honor to those who have fearlessly thrown themselves in the breach to defend the last citadel of American Liberty. "Truth is powerful, and will prevail."

The U. S. Frigate Potomac arrived in Boston Bay on the 23d ultimo, after a cruise longer and more arduous, it is said, than has ever been performed by any other Frigate in the American Navy. She has circumnavigated the Globe, and crossed and re-crossed the Equator six times; yet, notwithstanding the many dangers she has encountered from difficult navigation, the attacks of enemies, and insubstantial climates, the ship has been safely moored in her native waters, with the loss of only twenty-seven, out of about five hundred souls on board.—She bears the broad pennant of Commodore John Downes.

Our townsman, Col. Philo White, late Navy-Agent on the Pacific Station, came passenger in the Potomac.

New Paper.—We have received Nos. 1 and 2 of a paper just established in Petersburg, Va., entitled "The American Constellation." It is published by Haines & Davis, and is devoted to the support of the present Administration. The Constellation makes a very respectable appearance, typographically; and as we know the Editor (Mr. Haines) to be a gentleman of high literary attainments, we must confess that it will be a valuable accession to its party, while we deplore that talents worthy of the best cause should be directed into such a channel. The paper is issued three times a week, at five dollars per annum.

From France.—Accounts have been received from France down to the 20th of April. Tranquillity had been entirely restored in Paris and Lyons. The rising of the people appears to have been of considerable extent in the latter city, and to have been suppressed only by great exertions and an immense loss of life.

A Whale in Virginia.—The Petersburg Constellation states that a Whale, sixty feet in length, was lately seen in the James River, above Jamestown. The captain of a vessel, who observed this extraordinary visitor, and who had no harpoon on board, was compelled to resort to other means to give his Whaleship a suitable reception, and therefore discharged into his side the contents of a double-loaded musket. Leviathan was not satisfied with this unusual treatment of his species, and immediately put off to sea, with a speed that would have cast into the shade the powers of the swiftest quarter-nag in the old North State.

A Whale was also lately seen and captured somewhere "down East."

It is an old superstition among sailors, that, when any one of the crew is about to die, sharks and other voracious fish will follow a vessel for days, waiting for the throwing out of the corpse. Can these visits from the Whales have any reference to the present unhealthy state of the crew of the Ship of State, or are they attracted merely by the fumes from the Kitchen?

Hard Times for Editors.—No less than seven newspapers have ceased publication in the State of North Carolina in the short space of twelve months, for the want of "sufficient patronage." There are now only twenty-two periodicals in the State, and not one published oftener than once-a-week!

In the city of New York alone, with a population of about 230,000, there are about sixty-five newspapers, and twelve or fifteen are published daily!

It has been estimated that our subscription to papers published at the North is three times the amount of that extended to those published in our own State!!

Oh, father Rip, father Rip, truly thou art asleep!—When wilt thou shake off thy lethargy, and arise and do by thy children the part of a worthy sire!

The Season.—For the last fortnight, the Season has been remarkably fine for every thing but wheat. It is feared that the crop of Wheat, which has been very promising, will be much injured again, as it was last year, by excessive rain. There has been a considerable freshet in the Catawba and the Yadkin, from which serious damage is apprehended to the crops in the extensive low-grounds on those two rivers.

The latest information from the residence of Mr. Madison, brings us the cheering news that the venerable Patriot was convalescent, with strong hopes of his speedy entire recovery from his late severe attack.

The Editors of the "Western Herald" have moved their press from Dahlonega, to Athens, (Geo.) and now publish, at the latter place, an able paper, under the title of the "Southern Whig."

On Friday the 30th ultimo, the notorious Senborn was hung, at Fayetteville, in pursuance of his sentence, for setting fire to the city of Raleigh. Previous to his execution, he confessed that he was guilty of the crime for which he was condemned to suffer.

The Fayetteville Observer, of the Tuesday last, says—"We had extremely heavy rains here on Saturday last, and in the neighborhood many trees, fences, and some out-houses. The river is rising rapidly."

FOR THE WESTERN CAROLINIAN.

Mr. Editor: I have seen a paper, called "The New Yorker," devoted to Van Buren, containing some attempts to ridicule the Grand Jury of Davidson County for presenting Andrew Jackson. I am not surprised at this vain effort to stifle the public voice—I expected the whole collared pack would be let loose to yelp and snarl at the Jury, and, if possible, to run them down. But I thank the noble Senate for throwing themselves between the hounds and such feeble game as a County Jury: it has saved our skins, and I hope we shall live to see the huntman and his dogs get the worst of the

fight. The New Yorker says: "The world has rolled on pretty much as it would if the Jury of Davidson had not signalled themselves."

This is true. But the Jury did not expect or wish to stop the revolution of the world: they only intended, as Free-men, to unite with other Free-men in "protesting" against the tyrannical conduct of a man that they once considered a pure Patriot and a sensible Statesman; and their object was to lend their humble help to prevent a revolution in the form of our Government, by refusing submission to lawless power.

It is high time, Mr. Editor, for all honest men to be watchful for their Liberties when it has come to this pass that, if they go to Washington to beg for relief, they are insulted by the man they elevated; and, if they remonstrate at home, they have directly to contend with a pack of dirty laced menials who make their living by prostituting what little sense they have to the base purposes of a mercenary party. The People of Davidson County went pretty unanimously for Jackson—but, as they were not forced to support him then, so they cannot be kept in his favor by force. They have found him wanting where they thought he was true and faithful, and they have left him because they love their country better than him or any other man.

ONE OF THE GRAND JURY.

From the Raleigh Star, of May 31.

BANK OF THE STATE OF NORTH-CAROLINA.

A general meeting of the subscribers for stock in this Bank was held in this city on Thursday and Friday last, for the purpose of organizing the institution. Judge Settle was chosen Chairman of the meeting, and Chas. Manly, Esq., Secretary. The charter provides that the Principal Bank shall be managed by ten directors, 4 of whom to be appointed by the State, and 6 by individuals, provided the whole amount of stock authorized to be taken by each be subscribed; but on the Bank's going into operation with a less amount than the whole capital, individual stockholders and the State shall appoint the directors in proportion to the number of shares held by them respectively—those on the part of the State to be appointed by the Governor, Secretary of State, and Comptroller. The amount of stock ascertained to have been taken by individuals authorizes, agreeably to this provision, the appointment of eight directors in their behalf; while that on the part of the State is entitled to two, of whom the Public Treasurer is ex officio one; Gavin Hogg, Esq., was selected as the other; and the following gentlemen were elected by the individual stockholders, viz: Duncan Cameron, William Hill, William Peace, William Boylan, Thomas D. Beaneham, Alfred Jones, George W. Mordecai, and Chas. L. Hinton.

At a meeting of the Directors on Saturday, Duncan Cameron, Esq., was unanimously chosen President of the Bank and C. Dewey, Esq., Cashier. The salary of the former is fixed at \$20,000 per annum, and that of the latter at \$14,000.

The aggregate amount of stock taken, as reported to the meeting, is \$912,600. The first instalment of \$25 on each share was promptly paid, and a large number of the Stockholders paid the whole amount of their subscriptions in advance; which circumstance will, it is believed, enable the Bank to commence business immediately after the receipt of the second instalment, which will be the 22nd August, when the stockholders will again meet; at which time the location and arrangement of Branches will probably be agreed upon.

The Board of Directors of the Principal Bank are authorized to open books for the remainder of the stock, which will no doubt be taken.

JACKSON MONEY.

We were yesterday shown a note for twenty dollars, on the *Glory Bank*. The vignette is a very appropriate one—the figure of a *Whole Hog!* The phraseology runs thus:

THE GLORY BANK.

In the City of Washington, promises to pay TWENTY DOLLARS in *GLORY* to Martin Van Buren, or bearer, on demand. Washington, January 1, 1834.

A. KENDALL, Cash'r. A. JACKSON, Pres't. We learn, with much astonishment, that even the partisans of the Albany Regency refuse to take these notes.—*Pennsylvania Inquirer.*

REMARKABLE FACT.

A gentleman of the utmost respectability and veracity writes us, under date of Turkey Creek, Buncombe county, N. C., May 5th, 1834: "Mr. Joseph Worley, a neighbor of mine, had a very sick family, caused by the scarlet fever; and among the rest a little daughter, aged 10 or 12 years, who was taken with vomiting: the contents of the stomach were thrown where they were devoured by a pig. The pig soon grew sick, and in about twenty-four hours after it had eat the filth, it died; and what is still more remarkable, where the hair was thin, the surface of the skin was broke out with the same appearances as a human being laboring under the disease of scarlet fever. The mother and daughter have since died. Upwards of forty deaths have occurred in this neighborhood within a short time from this disease."—*Rutherfordton Spectator.*

From the United States Telegraph.

THE EXPERIMENT.

We have seen nothing that more strongly exhibits the injurious effects of the Experiment upon the laboring classes, in the cities especially, than the statement in the following extract from the New York Commercial. Can any man read it and doubt the existence of deep distress among the labouring class, when such are the effects on the Savings Bank?

"I was informed last evening, by an Ex-Alderman, who is a Director of the Savings Bank, that during the three months of the Asiatic Cholera, in this city, there was drawn by the poor and laboring class, from that institution, upwards of forty thousand dollars more than was deposited in the same time. There has been drawn from the same Bank, and no doubt by the same class of persons, in less than four months past, the enormous sum of five hundred and sixty thousand dollars more than has been deposited within that time. This is trying the experiment on the poor at a round rate. And I would call it the Jackson Cholera of the most malignant character, which has not only spread ruin and devastation throughout this city, but throughout the whole United States."

The stock of this bank is all secured by Government and State stocks which is better than bond and mortgages. It cannot break.

Estate of William Cowan.

THE Subscriber, having obtained Letters of Administration on the Estate of William Cowan, late of Rowan County, deceased, hereby gives notice to all persons indebted to said Estate to make payment; and all persons having claims of any denomination against said Estate are hereby notified to present them within the time prescribed by law, or this notice will be plead in bar of their recovery.

ROBERT N. FLEMING, Administrator.

May 31, 1834.—31



"THE GLOBE" was the only paper received from Washington City by last Friday morning's mail. This has frequently happened of late; but we know not whether it should "excite our special wonder."

SPEAKER STEVENSON.

On Friday the 30th ultimo, Mr. Stevenson, Speaker of the House of Representatives, gave notice that on the following Monday [last] he would resign his seat in Congress. Before this time, therefore, it is probable that the late Speaker has been changed into an Ambassador, and his chair been filled by some other non-commissioned officer, a candidate for high promotion.

A gentleman just from Washington informed us that the contest would be between Messrs. Polk and Bell, both of Tennessee.

What will become of our North Carolina Candidate, Mr. Jesse Speight?

The House of Representatives has fixed on the 30th of this month as the day of adjournment.

Altar of Hymen.

"Beside the altar's sacred light,
"The hand of life is laid;
"Young Love his constant lamp will light,
"And wave his paralytic wing."

UNITED IN WEDLOCK.

In this County, on Thursday the 27th ultimo, by Samuel Martin, Esq., Mr. JAMES WATSON to Miss PROVIDENCE ROBLEY.

In Thomson, Georgia, on the 22nd ultimo, Mr. JOSEPH P. HAMPTON, formerly of Salisbury, to Miss MARTHA BROWN.

Court of Death.

"All pass to the gate, in one moment's crowd—
"The grave, the poor, the humble, and the proud,
"The rich, the poor, the ignorant, the wise—
"The central ground, whence all distinction flies."

DEPARTED THIS LIFE.

In this County, on Friday morning the 6th instant, of Typhus Fever, Mr. DAVID BROWN, in the 68th year of his age. Mr. Brown was a citizen of the most unimpeachable respectability, and great hospitality and benevolence of heart; he has descended to the tomb, regretted by all who knew him.

Suddenly in this County last week, Mr. HENRY SLEIGHTER, in the 83rd year of his age. Mr. S. was a native of Hesse Cassel, in Germany, but for more than half a century resided in this part of the country, and was an honest, respectable citizen. There were two striking peculiarities about him. He never had but one tooth, and had no perspiratory organs. The first deficiency exempted him from the tooth-ache, and the latter from frequent catarrhal affections. But in very warm weather, the inability to sweat, compelled him to resort to frequent affusions of cold water, in order to get rid of that heat which, in all other men, is carried off by perspiration. He had a remarkably firm constitution, and enjoyed an extraordinary portion of health.

REMOVAL.



W. J. RAMSAY & CO.,
DEALERS IN
Watches, Jewellery, Silver-Ware,
Fancy Cutlery, and Perfumery,
—(PALEIGH)—

HAVE REMOVED from D. Lindeman's Book-Store, to the opposite side of the Street, in the house lately built by John C. Stedman, deceased, (next door to Messrs. Mead and Avery.)

This house being expressly built for that business, they are now prepared to execute, with neatness and despatch, all jobs in the Silversmith's line.—Repairing Jewellery, and all kinds of Watches, warranted to be faithfully done.

Having purchased all the new stock of the late J. C. Stedman, and made a large Spring purchase this season, they do not hesitate in saying that a better supply of articles in their line has never before been offered to the public in North Carolina. Among their assortment will be found the following articles:

Gold and Silver Patent Levee Watches, Assorted Plain ditto, Fine short and long-linked gold Watch Chains, Gold Cable Neck-Chains, a new article, Watch-Seals, Keys, Slides, and Rings, Gold Guards, Chains, and Keys, A very rich assortment of Breastpins, Finger and Ear-Rings, Miniature Cases, assorted, Gold Shirt Buttons and Studs, Gold and Silver Pencil Cases, ever-pointed, Gold and Silver Spectacles and Thimbles, Gold Bracelets, a new and splendid article, Corals, assorted, Bead Work, of various descriptions, Music Boxes, assorted, Silver and Steel Chains, Seals, and Keys.

ALSO,

About 1000 ozs. of Silver-Plate,

Consisting of—
Table, Dessert, and Tea Spoons, plain and ornamented, Gravy, Cream, Salt, and Mustard Spoons, Ladles, Sugar Tongs and Butter Knives.

LIKEWISE,

Plated Candlesticks, Snuffers and Trays, Plated Castors, assorted patterns, Britannia Coffee and Tea Pots, Sugar and Cream ditto, Epaulettes, various qualities, Damascus and steel-twist Percussion Guns and Pistols, and Percussion Caps, Silver and Gold-Mounted Dirks, Rodgers' Pen and Pocket Knives, Table and Dessert ditto, (balance handle,) the best assortment ever brought to this market, Rodgers' and Barber's Razors, various qualities, Gold and Silver-Mounted Canes, with and without Swords,

A Complete Assortment of Perfumery, FOR THE TOILET, &c.

And, in short, every article in their line, too tedious to enumerate.

The Public generally are respectfully invited to give them a call, as they feel assured that purchasers at their establishment will not be disappointed with their bargains.

W. J. RAMSAY & CO.,
Raleigh, June 7, 1834.



FEMALE EDUCATION.

THE SUMMER SESSION

Mrs. M. R. Hall's Female School, IN LINCOLNTON.
Will commence on Monday the 24th of June.

MRS. HALL, (assisted by Mr. ALEXANDER A. HALL, Principal,) will continue to teach the various branches requisite for a complete Female Education.

Boarding can be had with respectable families at \$1.50 per week.

Young Ladies, without Parents or Guardians, will receive prompt attention.

Rates of Tuition will be made known on application.

ALEX. A. HALL, Principal.

Lincolnton, June 7, 1834.

THE BANK

OF THE STATE OF NORTH-CAROLINA.

BOOKS OF SUBSCRIPTION for STOCK in the New State Bank of North Carolina, will be opened, in the Town of Salisbury, on the 15th of June next. Capitalists who are anxious to make a profitable investment of their funds, will do well to attend at an early day, as it is believed that the whole amount will be speedily taken up.

THOS. L. COWAN, } Commis-
SAM'L REEVES, } sioners.
WM. H. HORAH, }
Salisbury, June 7, 1834. 122A

Look at This!

STEVENSON & POINTS,
MANAGERS OF THE
N. C. State Lottery,
FOR THE BENEFIT OF THE SALISBURY ACADEMY.

HAVE been engaged in the Management and Drawing of Lotteries, in Virginia, for several years; and, in the course of their extensive business, have had the pleasure of selling and paying the following

Grand Capital Prizes,

VIZ:
\$20,000 \$30,000 \$40,000 \$50,000 \$60,000
10,000 8,000 6,000 4,000 3,000
10,000 7,000 6,000 4,000 3,000
10,000 7,000 6,000 4,000 3,000
10,000 7,000 6,000 4,000 3,000
10,000 6,000 5,000 4,000 3,000
10,000 6,000 5,000 4,000 3,000
\$3,000, \$3,000, \$3,000—besides many of \$2,000, \$1,000, &c., and a multitude of others, not so large, but of sufficient magnitude to make glad the hearts of their purchasers.

S. & P. have no doubt that, if the good citizens of this State will extend to them the same liberal patronage in their North Carolina Lotteries, that the People of Virginia did while they were in engaged in business in that State.

THE GODDESS OF FORTUNE
Will be equally Bountiful!

The Capital Prize in the First Class of the N. Carolina State Lottery is comparatively small—but the Managers feel every confidence that, as the Lottery is for so laudable an object as the building of an Academy suitable to the wants of this town, the public will afford such encouragement as will justify them in presenting schemes with more desirable Capital Prizes in a short time.

Those who feel any disposition to purchase Tickets, need not hesitate or feel the least apprehension lest the drawing should not take place at the time appointed: for the Managers are determined to draw the Lottery on the 10th of July, without regard to the amount of sales; and indeed they have already made considerable progress in disposing of Tickets—fully as much as they expected for the time they have had their office open.

It is proper that the public should be informed that the Drawing will be superintended by Gentlemen who have no interest with the Managers whatever.

Tickets, Shares, and Packages, to be had, in the greatest variety of numbers, at

Stevenson & Points' Office,
(White Row, Mansion Hotel.)
—SALISBURY—

All orders from a distance, (post paid) enclosing the Cash, will be thankfully received and promptly attended to, if addressed to

STEVENSON & POINTS,
Managers, Salisbury, N. C.
June 7, 1834.

State of North Carolina:
LINCOLN COUNTY.

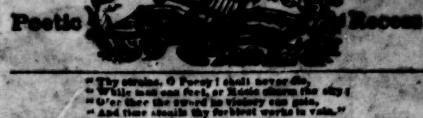
Court of Pleas and Quarter Sessions,
APRIL TERM, 1834.

Samuel P. Simpson, }
vs. } Original Attachment.
Henry Carvill. }

IT appearing, to the satisfaction of the Court, that Henry Carvill, the defendant, is not an inhabitant of this State: It is therefore Ordered, that publication be made, for six weeks, in "The Western Carolinian," that the said defendant appear at the next Court of Pleas and Quarter Sessions, to be held for the County of Lincoln, at the Courthouse in Lincolnton, on the third Monday in July next, then and there to reply to the return of the writ, and to show cause why judgment should not be rendered against him; and that the writ be published in the said paper, and that the return of the writ be made to the Court.

Witness my hand and the Seal of the Court, at Lincolnton, this 24th day of June, 1834.

M. W. ADAMS, Clerk.



BAPTISM OF AN INFANT, AT ITS MOTHER'S FUNERAL.

Whence is that trembling of a father's hand,
Who to the man of God doth bring his babe,
Asking the seal of Christ?—Why doth the voice
That uttereth o'er its brow the Triune Name,
Falter with sympathy?—And, most of all,
Why is you coffin-lid a pedestal
For the baptismal font?

But all the answer was those gushing tears
Which stricken hearts do weep.

The fair, young mother, in that coffin-bed,
Mourn'd by the funeral-train.—The heart that beat
With trembling tenderness, at every touch
Of love or pity, flush'd the cheek no more.
—Tears were thy baptism, thou unconscious one,
And sorrow took thee, at the gate of life,
Into her cradle.—Thou may'st not know
The welcome of a nursing-mother's kiss,
When, in her wandering ecstasy, she marks
A thrilling growth of new affections spread
Fresh greenness o'er the soul.

Her hallow'd teachings, nor suffice her eye
With joy, as the first germs of infant thought
Unfold—in liping sound....

Even as she walk'd—breathing on all around
The warmth of high affections—purified
And sublimed by that Spirit's power
Which makes the soul fit temple for its God.
—So shalt thou, in a brighter world, behold
That countenance which the cold grave did veil
Thou early from thy sight, and the first tone
That bore a mother's greeting to thine ear
Be wafted from the minstrelsy of Heaven.

CHASTELAR (FROM HIS PRISON) TO MARY QUEEN OF SCOTS.

Have I not loved thee? By those burning tears,
By the scath'd blossoms of my blighted years,
By all I was, and am not—'twas my sin
To love where love no recompence could win.

Have I not loved thee? Ask the breathing stars,
The bright moon, beaming through my prison bars;
For they have witness'd—what none else might see—
The wrapt devotion of my soul to thee.

Yes, I have loved thee, and do love thee yet,
Though thy last act might teach me to forget;
But Love survives what Friendship could not brave,
And weathers its myrtles round the martyr's grave.



Lincolnton Academy.

THE Examination of the Students of the Lincolnton Academy will commence on the 10th day of June, and terminate on the evening of the ensuing day. Parents and Guardians are particularly requested to attend.

The Exercises of the Academy will be resumed on the FIRST DAY OF JULY. The price of Tuition, per session, (in advance,) will be:
For the Latin and Greek Languages, Algebra and Geometry, \$12 50
For English Grammar, Geography, and Arithmetic, 8 00
For Reading, Writing, &c. 5 00
Board can be had, in respectable families at \$7 per month.

GEORGE W. MORROW.
P.S. The healthiness of Lincolnton, and the moral state of society, render it a peculiarly appropriate location for a Classical School.
May 24, 1834.—6t

Petersburg Cotton-Yarn.

JUST RECEIVED, & FOR SALE,
1800 Pounds of Cotton-Yarn, from the Petersburg Factory—superior to any Cotton brought from the North. Apply to MURPHY & MOSS.
Salisbury, May 24, 1834. 3t

Notice to Debtors!
ALL accounts due me, of twelve months' standing and upwards, must be settled before the 1st day of June next.
JOHN JONES.
Salisbury, May 17, 1834. 4t

SELLING OFF At Cost!

S. LEMLY & SON,
HAVING DETERMINED TO CLOSE THEIR BUSINESS IN THIS PLACE,

With the view of removing to the State of Mississippi early in the ensuing Fall, beg leave to inform the Public generally that they

Have Concluded to Sell Off THEIR STOCK OF GOODS, CONSISTING OF

DRY-GOODS, HARD-WARE, CUTLERY, CROCKERY, AND

ALL other ARTICLES generally kept on hand by Merchants in this part of the country, AT COST, FOR CASH.

Their Stock is Large, Complete, and New, the whole having been purchased within the last few months.

They respectfully invite their friends and the public in general, to call and examine the goods, as they are determined to sell such as they feel confident will give satisfaction to all who wish to purchase.
Salisbury, 1834.—4t

Catawba Springs.
There have place in now open, as usual, for the reception of Company. Every attention is given, by the Proprietor, for the comfort and pleasure of those who may visit him.
W. S. SIMONTON.
Lincoln Co., May 24, 1834. 4t

Apprentices Wanted.

THE Subscriber would take two or three Apprentices to the Carpenter's Trade, if application be made soon.
WM. A. WEDDINGTON.
N.B. None need apply but such as can come well recommended for morality and industry.
Cabarrus Co., May 31, 1834.—3t

Valuable Property FOR SALE.

THE SUBSCRIBER OFFERS FOR SALE, ONE-THIRD PART OF THE

Lincoln Cotton Factory,
Situated two miles below Lincolnton, N.C., at the Rattling Shoals of the South Fork. This Factory is now in excellent repair, and has in full operation seven hundred and thirty-six Spindles, and eight Looms ready to go into operation.

ALSO,
(Belonging to the same Establishment.)

An excellent Oil-Mill, Blacksmith Shop, a Machine Shop, and a Wool-Carding Machine, WITH 560 Acres of Land.

This site is superior to any in my knowledge for manufacturing, having water-power sufficient to turn two thousand spindles, and possessing all the advantages of the cotton market and the grain country: the situation is healthy, well watered, and well calculated for a store.

ALSO, HE OFFERS FOR SALE, In the Town of Lincolnton,

THE LOT WHEREON HE NOW RESIDES, being Lot No. 9, fronting the Main Street; Lot No. 10, fronting the Back Street in the N.E. Square of said town; and, in the same Square, a 2-acre Farm Lot; And also Lot No. 10 in the S.E. Square, fronting the Main Street to Beatties' Ford;

WITH Seventy-Five Acres of Land LYING ON MILL-CREEK, one and a half miles from Town.

The Town Property would make a suitable residence for a Lawyer, Physician, or any Gentleman who would wish to spend the Summer in a healthy, pleasant place.

A further description is deemed unnecessary, as any person wishing to purchase will no doubt like to view the premises before doing so.

The Subscriber will sell the above-named Property low, as he wishes to move to a warmer climate if he can sell.

JAMES BIVING
Lincolnton, May 24, 1834. 1m

NEGROES WANTED.

THE Subscriber wishes to purchase LIKELY NEGROES, from ten to thirty years old, and will pay the most liberal prices in Cash.

All who have such property to sell would do well to call on him, or Mr. John Jones, his Agent. He can be found at Mr. Slaughter's Hotel, in Salisbury, and Mr. Jones at Dr. Boyd's Hotel, in Charlotte.

He thinks it proper to say, that he is not concerned in business with Mr. James Huie, or with any other person.

All Letters addressed to him, or Mr. Jones, will be punctually attended to.

ROBERT HUIE.
Salisbury, May 24, 1834. 4t

Spring & Summer Fashions FOR 1834.

HORACE H. BEARD, Tailor,
BEGS leave to inform his friends, and the public in general, that orders in his line will always be thankfully received by him, and executed in the most Neat, Fashionable, and Durable manner—on terms as reasonable as any in this section of country.

H. H. B. hopes, from his long practice of his business, (a number of years of which time he resided in the city of Philadelphia,) and from the general satisfaction he has heretofore given to his numerous respectable and fashionable customers, to merit and receive a portion of the patronage of the public in general.

He flatters himself that his CUTTING is really superior to any done in this State, as may be tested by the undisputed elegance of fit which attends garments made in his establishment. He is in the regular receipt of the Reports of the Fashions as they change both in the large cities of this country and of Europe—so that gentlemen may be satisfied that their orders will always be executed in the very latest style.

Orders from a distance will be attended to with the same punctuality and care as if the customer were present in person.

Salisbury, May 17, 1834.—1y

New Tailor's Shop in Concord.

THE Subscriber informs his old customers and the public in general, that he has REMOVED TO CONCORD, where he has opened a Shop, in which the TAILORING BUSINESS in its various branches will be executed in the most fashionable, neat, and durable manner. He flatters himself that his skill in the business, and his constant personal attention in his establishment, will enable him to redeem all pledges made to those who may favor him with their custom.

He receives the latest FASHIONS regularly both from New York and Philadelphia, and works by the most approved systems. Cutting out, and Orders from a distance, will be promptly attended to; and last, but not least, his terms will be very accommodating.

THOMAS S. HENDERSON.
N.B. He is determined to do work in a style superior to any done in this part of the country, and ALWAYS WARRANTED TO FIT WELL.
Concord, March 29, 1834. 6m



North-Carolina State LOTTERY, FOR THE BENEFIT OF The Salisbury Academy.

1st Class—High and Low System.

To be Drawn at Salisbury, On the 10th day of July.

Capital, \$3,000!

SCHEME:

1 Prize of \$3,000 is 3,000
5 " of 1,000 is 5,000
4 " of 500 is 2,000
5 " of 300 is 1,500
10 " of 200 is 2,000
50 " of 100 is 5,000
60 " of 50 is 3,000
100 " of 20 is 2,000
250 " of 10 is 2,500
20,000 " of 4 70 is 94,000

20,485 Prizes, amounting to \$120,000

More Prizes than Blanks!

Tickets \$4.—Halves \$2.—Quarters \$1.

MODE OF DRAWING:

This Scheme, founded on the High and Low System, has 40,000 Tickets, numbered from 1 to 40,000, inclusive. On the day of the drawing, the 40,000 numbers will be put into one wheel, and all the prizes above the denomination of \$4 70 in another: they will then be drawn out alternately, first a number and then a prize, until all the prizes are drawn. From 1 to 20,000, inclusive, are low; and from 20,001 to 40,000, inclusive are high. The prizes of \$4 70, to be awarded to the high or low division, will be determined by that which may draw the capital prize of \$3,000. The prizes of \$4 70 will be payable in tickets in the next scheme—all other prizes payable in cash forty days after the drawing. All prizes subject to a deduction of fifteen per cent.

According to this mode of drawing, holders of two tickets will be sure to draw one prize, and MAY DRAW THREE!

Tickets, Shares, and Packages, to be had, in the greatest variety of numbers, at

Stevenson & Points' Office, (White Row, Mansion Hotel),—SALISBURY.

All orders from a distance, (post paid) enclosing the Cash, will be thankfully received and promptly attended to, if addressed to STEVENSON & POINTS, Managers, Salisbury, N.C.

May 17, 1834. 4td

Valuable Real Property, IN LINCOLN COUNTY, FOR SALE.

The Subscriber, intending to remove to Alabama, OFFERS FOR SALE, His Residence in Lincoln County, Including, in one body, about

One Thousand Acres Of Real Good Farming Land, On which is a fine Brick Building,

constructed of the best materials, in fine taste, and good workmanship.—Also, all convenient Out-Houses, COTTON AND THRESHING MACHINES, Barns, Stables, &c.

—ALSO—Another Tract of Land, Lying on both sides of Dutchman's Creek, containing about

Eight Hundred Acres, ALL FIRST RATE FOR ANY PURPOSES.

The above Property will be sold on a credit of one, two, and three years.

In my absence, application may be made to my brother, J. Forney.

DANIEL M. FORNEY.
Lincoln Co., May 17, 1834. 4t

TAILORING.

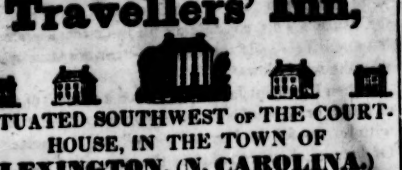
BENJAMIN FRALEY, having received the latest Philadelphia, New York, London, and Paris styles of FASHION, and having in his employ a number of Workmen who are first-rate, is prepared to cut and make work in a style superior to any done in this part of the country, and always warranted to fit.

Orders for Work in his line, from a distance, will be punctually attended to according to order; and all kinds of local custom-work will be done at the shortest notice and on reasonable terms.

He can be found, at all times, at his old stand, a few doors above Mr. Slaughter's Hotel, and nearly opposite Mr. John Murphy's store.

TO TAILORS.

Being Agent for some of the most Fashionable Tailors in New York, the Subscriber is prepared to teach or give instruction to any of the Trade who may desire to be more perfect in their business; and, from his belief that he is fully capable of giving satisfaction, he respectfully requests all who desire instruction to call on him.
Salisbury, 1834.—1y



Travellers' Inn, SITUATED SOUTHWEST OF THE COURT-HOUSE, IN THE TOWN OF LEXINGTON, (N. CAROLINA.)

THE Subscriber takes this method of informing Travellers that he keeps a House of Entertainment in Lexington, (N. C.) on Main Street, Southwest of the Courthouse.

His Table will always be supplied with the best fare that a plentiful neighborhood can afford. His House being spacious, and attended by servants who are industrious and zealous to please, Travellers can always be accommodated with GOOD BEDS in rooms with fire-places. And last, but not the least important consideration, HORSES will always receive such attention, in the Stable of the Subscriber, that they may leave it with increased ability to do the service of the road.

An excellent Line of Accommodation Stages

Leaves the House of the Subscriber, FOR SALISBURY, on the evenings of Monday, Thursday, and Saturday, and returns to Lexington on the succeeding evenings.

Passengers going from South to North, by entering their names as far as Salisbury only, and then taking the Accommodation Line to Lexington, can have their choice, at the latter place, between the Piedmont Line and the one which runs by way of Fredericksburg.

JOHN P. MABRY.
Lexington, March 8, 1834. 1y

State of North Carolina: MONTGOMERY COUNTY.

Court of Pleas and Quarter Sessions, APRIL TERM, 1834.

William Butler, Executor of Joshua Butler, decd., and others,

vs. Jones Moody, Catharine his wife, Martin A. Poor, Laura M. Poor, Susannah Poor, William Poor, John Poor, William Suggs, Elizabeth his wife, and Joshua Cochran,

IT appearing, to the satisfaction of the Court, that the above named Defendants are not inhabitants of this State: It is therefore Ordered, by the Court, that publication be made, in the Western Carolinian, for six weeks, for them to appear at the next Term of this Court, to be held for the County of Montgomery, at the Courthouse in Lawrenceville, on the first Monday in July, 1834, and make themselves parties to these proceedings, or the same will be heard ex parte as to them.

Test: JOHN B. MARTIN, Clerk.
May 17, 1834. 6w

SALISBURY MALE ACADEMY.

The Third Session of the above Institution WILL COMMENCE ON THE FIRST DAY OF MAY.

THE Subscribers, thankful for past patronage, pledge themselves to enter upon the exercises of the next session with renewed zeal.

P. J. SPARROW, T. W. SPARROW.
Salisbury, April 12, 1834. 4t



Coach and Carriage Making, AND REPAIRING.

J. W. Rainey & P. J. F. Shaver, Coach and Carriage-Makers,

Respectfully inform the Public generally, that they have entered into Co-Partnership for the purpose of carrying on the above business in all its varieties, and that they have, for that purpose, taken the shop FORMERLY OCCUPIED BY PHILIP JACOBS, On the Main Street, opposite the old Jail.

They have on hand a good supply of the best carefully-selected and well-seasoned Timber, and will always keep on hand, for sale,

STAGE-COACHES, CARRIAGES, Carry-alls, Gigs, SULKIES, &c.

Which shall not be surpassed by any in this section of country for neatness, durability, and cheapness.

For the benefit of Travellers and Stage-Drivers, they will always keep on hand CARRIAGE-SPRINGS and all other fixtures necessary to put those vehicles in the most complete order; and every description of REPAIRING will be done at the shortest notice and on the lowest possible terms.

The Blacksmithing Business

The Subscribers have attached to their Carriage-Manufactory, a BLACKSMITH-SHOP, in which they employ none but first-rate workmen and the very best materials—which enables them to assure their friends and the public that all work done by them, in this line also, will be of superior quality, and as low-priced as any other executed in this section of country.

The Subscribers deem it hardly necessary to say that they will be thankful for a portion of the public favor; and they hope, by strict attention to business, and moderate charges, to merit the patronage of all who may wish to purchase articles kept for sale by them or jobs done in their line.
JOHN W. RAINEY, PHILIP J. SHAVER.
Salisbury, February 15, 1834. 4t

Administrator's Notice.
THE Subscriber, having qualified as Administrator on the Estate of Archibald Craig, dec'd., at the May Term of Rowan County Court, hereby requests all persons indebted to said Estate to make payment immediately; and persons having claims against said Estate are notified to present them, legally authenticated, within the time prescribed by law, or this notice will be plead in bar of their recovery.
BURTON CRAIG, Administrator.
May 31, 1834.—6t

Aaron Woolworth, Watch and Clock Maker,

BEGS leave to inform the Citizens of Salisbury, as well as those of Rowan and the surrounding Counties, that he has

Removed his Establishment TO THE SOUTH SIDE OF THE COURTHOUSE, A few doors above Mr. Win. H. Slaughter's Hotel, on the Main Street, Where he still continues, as heretofore, to execute

ALL KINDS OF WORK in the line of his profession, at short notice, And on the most reasonable terms.

WATCHES & CLOCKS REPAIRED BY HIM WILL IN ALL CASES BE Warranted for 12 Months!

And those disposed to patronize him, are assured that no pains will be spared to give the most general and entire satisfaction to them.

ENGRAVING of every description, (including Tomb-Stones,) will be executed with neatness and accuracy, at short notice.
Salisbury, Jan. 27, 1834. 4t

Current Prices of Produce, &c.

AT SALISBURY, June 4.

| | cents. | | cents. |
|----------------------------|-------------|----------------------------------|-------------|
| Bacon, | 12 1/2 | Molasses, | 50 |
| Brandy, apple, | 35 a 40 | Nails, | 8 a 10 |
| Butter, | 45 a 50 | Oats, | 37 1/2 a 40 |
| Cotton, in seed, | 24 | Rye, | 75 |
| Coffee, clean, | 104 | Sugar, brown, | 10 a 12 1/2 |
| Corn, | 16 a 18 1/2 | Wheat, | 112 a 125 |
| Flaxseed, | 115 a 125 | Tallow, | 8 a 10 |
| Feathers, | 30 | Tobacco, | 8 a 20 |
| Flour, (scarce) | 750 | Whiskey, (bushel) | 80 a 100 |
| Flaxseed, | 87 1/2 | Whiskey, | 45 a 50 |
| | | Lined Oil, per gallon, | \$1 12 1/2 |

AT FAYETTEVILLE, May 27.

| | | | |
|-----------------------------|-------------------|-----------------------------|-----------------|
| Bacon, | 9 a 10 1/2 | Iron, | 4 1/2 a 5 1/2 |
| Brandy, peach, | 55 a 60 | Molasses, | 31 a 33 |
| Butter, | 55 a 60 | Nails, | 6 a 8 |
| Beeswax, | 17 a 18 1/2 | Sugar, brown, | 8 a 10 |
| Coffee, | 12 1/2 a 13 1/2 | Lump, | 14 |
| Cotton, new, | 11 1/2 a 12 1/2 | Rice, | 450 a 500 |
| Corn, | 100 a 125 | Salt, in sacks, | 300 |
| Feathers, | 32 a 35 | bushel, | 75 |
| Flaxseed, | 100 a 125 | Sugar, prime, | 11 1/2 a 12 1/2 |
| Flour, superfine, 600 a 750 | common, | 9 a 10 | |
| fine, | 550 a 600 | leaf & lump, | 15 a 18 |
| Iron, | 4 1/2 a 5 1/2 | Tallow, (scarce), | 10 a 12 |
| Lard, | 10 a 12 1/2 | Teas, | 125 a 150 |
| Mackerel, | 650 a 900 | Wheat, | 90 a 100 |

AT COLUMBIA, (S. C.), May 30.

| | | | |
|--------------------------|-------------|---------------------------|-------------|
| Bacon, | 11 a 12 1/2 | Lard, | 10 a 12 1/2 |
| Brandy, peach, | 75 | Molasses, | 45 a 50 |
| Butter, | 40 a 50 | Mackerel, | 500 a 600 |
| Beeswax, | 15 a 16 1/2 | Salt, in sacks, | 225 a 250 |
| Coffee, | 18 a 25 | bushel, | 75 |
| Corn, | 12 a 17 1/2 | Sugar, brown, | 10 a 12 1/2 |
| Cotton, | 125 a 150 | leaf & lump, | 16 a 22 |
| Feathers, | 30 a 35 | Tallow, | 10 a 12 |
| Flour, | 750 a 800 | Teas, | 00 a 00 |
| Iron, | 4 a 5 1/2 | Whiskey, | 40 a 50 |

AT CAMDEN, (S. C.), May 31.

| | | | |
|----------------|------------|-----------------|---------|
| Brandy, peach, | 75 | Molasses, | 45 a |
| apple, | 40 a 50 | Mackerel, | 500 a 8 |
| Beeswax, | 15 a 00 | Salt, in sacks, | 225 a 2 |
| Butter, | 18 a 25 | bushel, | 75 |
| Coffee, | 12 a 17 | Sugar, brown, | 10 a |
| Corn, | 125 a 150 | leaf & lump, | 16 a |
| Cotton, | 9 a 12 1/2 | Tallow, | 10 a |
| Flour, | 750 a 800 | Teas, | 00 a |
| Iron, | 4 a 5 1/2 | Whiskey, | 40 a |

WESTERN CAROLINIAN.

ISSUED WEEKLY, BY JOHN BEARD, JR.

TERMS OF PUBLICATION.

1. The "WESTERN CAROLINIAN" is published every Monday, at Two Dollars per annum if paid in advance, or Two Dollars and Fifty Cents if not paid until after the expiration of three months.

2. No paper will be discontinued until all arrears are paid, unless at the discretion of the Editor.

3. No subscription will be received for a less time than one year; and a failure to notify the Editor of a wish to discontinue, at least one month before the expiration of a year's subscription, will be considered as a new engagement.

4. Any person who will procure six subscribers to the Carolinian, and take the trouble of collecting and transmitting the subscription-price to the Editor, shall have the paper during the continuance of their subscription, without charge.

TERMS OF ADVERTISING.

1. Advertisements will be conspicuously and correctly inserted at 50 cents per square for the first insertion, and 33 1/2 cents for each continuance; but, where an advertisement is ordered to go in only twice, 50 cts. will be charged for each insertion.

2. Merchants, Mechanics, and Professional gentlemen, who may desire constantly to appear before the public, in our advertising columns, will be received as yearly advertisers, and a deduction of 15 per cent. will be made from the above charges.

TO CORRESPONDENTS.

1. To insure prompt attention to Letters addressed to the Editor, the postage should in all cases be paid.

WESTERN CAROLINIAN OFFICE, Salisbury, May 17, 1834.

WE are prepared to execute every kind of Printing in a very superior style, and our charges will be as reasonable as any. Orders from a distance will always meet the most prompt attention.